

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Case No.:	17-23819-GLT
	:	Chapter:	7
Cyrilla Landscaping & Supply Co., Inc.	:		
	:		
	:		
<i>Debtor.</i>	:		
	:		
Eric E. Bononi	:	Adv. No.:	19-02214-GLT
	:		
<i>Plaintiff(s),</i>	:		
	:		
v.	:		
	:		
Michael C. Cyrilla and Denine C. Cyrilla,	:		
	:	Date:	2/20/2020
<i>Defendants.</i>	:	Time:	11:00

PROCEEDING MEMO

MATTER: Status Conference:
1 Complaint for Turnover of Property [11 U.S.C. 542(a)] by Eric E. Bononi
against Michael C. Cyrilla, Denine C. Cyrilla.
4 - Answer filed by Michael Cyrilla
6 - Certification of Counsel Regarding Consent Order

APPEARANCES:
Plaintiff: Eric E Bononi
Michael Cyrilla: No appearance

NOTES: (11:15)

Court: You indicated Denine Cyrilla is cooperating.

Bononi: There was a proposed consent order.

Court: I have reviewed it, but it does not include her, it would just provide her with notice.

Bononi: Denine Cyrilla claims she does not have an interest, but Mr. Cyrilla claims she does.

Court: The stipulation dictates the trustee will receive \$2,000 for the vehicles, but they're scheduled as worth around \$4,500.

Bononi: They were scheduled in his corporation bankruptcy.

Court: Have you seen the vehicles?

Bononi: I've seen one.

Court: How are you basing the valuation on a vehicle you haven't seen?

Bononi: I can go see them.

Court: You're just requesting turn over of the vehicles?

Bononi: Yes, so I can sell them.

Court: There are two vehicles being sold to an insider, with no notice, at a price much lower than they are allegedly worth. If I take Mr. Cyrilla's defenses at face value, Trustee Crawford would have authority over these vehicles, not Mr. Cyrilla.

Bononi: I spoke with Trustee Crawford and she did not have an interest in these vehicles.

Court: You think \$2,000 is the most you would get through an auction when advertised?

Bononi: That's my fear. I would request to withdraw the stipulation.

Court: I will grant your request to withdraw the stipulation. If the vehicles are Mr. Cyrilla's property, they would be for Trustee Crawford to administer. I will give Attny Sheats an opportunity to object within 14 days.

OUTCOME:

1. Status Conference [Dkt. Nos. 1 and 6] is CONCLUDED. [Text Order to Issue]
2. On or before April 2, 2020, Attny Bononi shall file a Motion for Default Judgment as to Denine Cyrilla and a Motion for Judgment on the Pleadings as to Michael Cyrilla. [Chambers to Issue]

DATED: 2/20/2020